



Patent
Attorney's Docket No. 019519-331

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Shuichi KONDO) Group Art Unit: 1752
Application No.: 09/977,278) Examiner: B. Gilliam
Filed: October 16, 2001) Confirmation No.: 2067
For: PLATE-MAKING METHOD OF)
LITHOGRAPHIC PRINTING PLATE)

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Official Action dated November 5, 2003, applicant respectfully requests reconsideration in view of the discussion which follows.

In the Official Action, the Examiner raised several rejections under 35 U.S.C. §103(a), but only objected to claims 7, 8 and 14 and indicated that such claims would be allowable if rewritten in independent form. While applicant sincerely appreciates the indication of allowability of claims 7, 8 and 14, applicant respectfully submits that all of the pending claims are allowable.

As set forth in the Action, each of the rejections under 35 U.S.C. §103(a) relies in part on the disclosure of Sasayama et al., United States Patent No. 6,364,544. This U.S. patent is assigned to Fuji Photo Film Co., Ltd., the assignee of the present application, and

is available as "prior art" only under 35 U.S.C. §102(e) based on its U.S. filing date of January 31, 2001.¹

It is hereby stated that the instant application and Sasayama et al., U.S. Patent No. 6,364,544 were, at the time the invention was made, owned by or subject to an obligation of assignment to the same entity, namely Fuji Photo Film Co., Ltd.

Based on the foregoing statement and the provisions of 35 U.S.C. §103(c), applicants respectfully submits that Sasayama et al. is not available as "prior art" under 35 U.S.C. §102(e) and that the rejections set forth in the Official Action, all of which rely in part on Sasayama et al., cannot stand. Accordingly, reconsideration and allowance of the present application are respectfully requested.

Should the Examiner wish to discuss any aspect of the present application, she is invited to contact the undersigned attorney at the number provided below.

Respectfully submitted,

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Date: January 22, 2004

¹ The Examiner has not relied on the published Japanese priority document corresponding to Sasayama et al. and if a rejection is made on such document, applicant reserves the right to respond appropriately, such as by relying on the Japanese priority date of October 16, 2000, which is claimed in the present application.